

**SMITH HOPEN**  
**INTELLECTUAL PROPERTY LAW**180 Pine Avenue North, Oldsmar FL 34677  
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INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Thomas E. Toner
Attn:	Examiner Brian J. Sines - Art Unit 1743	Client:	1132.08
Fax:	(571) 273-8300	Pages:	3 including coversheet
Phone:	(571) 272-1263	Date:	August 29, 2006
Re:	USSN: 10/604,810	CC:	Lawrence Martin

☐ Urgent    ☒ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

Dear Examiner Sines:

In response to the non-final office action mailed August 7, 2006, we enclose the following:

1. Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated August 29, 2006 (1 page); and
2. Response to Election/Restriction Requirement (1 page).

Very Respectfully,

Thomas E. Toner  
Reg. No. 57,422

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Practitioner's Docket No. 1132.08

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED  
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AUG 29 2006

In re Application of: **Lawrence Martin**Serial No.: **10/604,810**Filed: **08/19/2003**For: **Hand-Held Fluid Analyzer**Art Unit: **1743**  
Examiner: **Brian J. Sines**  
Confirmation: **1809**Faxed to Central Fax at (571) 273-8300  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**AMENDMENT TRANSMITTAL**

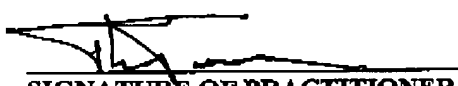
1. Transmitted herewith is a Response To Election/Restriction Requirement for this application.

**STATUS**

2. Applicant is an independent inventor.

**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

  
**SIGNATURE OF PRACTITIONER**Thomas E. Toner  
Smith & Hopen, P.A.  
180 Pine Avenue North  
Oldsmar, FL 34677  
(813) 925-8505Reg. No.: 57,422  
Customer No.: 21,901**CERTIFICATE OF FACSIMILE TRANSMISSION**  
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1743, Attn: Brian J. Sines, (571) 273-8300 on August 29, 2006.

Dated: August 29, 2006

  
April Turley

(Restriction Requirement – Transmittal)

Practitioner's Docket No.: 1132.08

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re Application of: **Lawrence Martin**Serial No.: **10/604,810**Filed: **08/19/2003**For: **Hand-Held Fluid Analyzer**Art Unit: **1743**  
Examiner: **Brian J. Sines**  
Confirmation: **1809**RECEIVED  
CENTRAL FAX CENTER

AUG 29 2006

Faxed to Central Fax at (571) 273-8300  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant responds to the nonfinal Examiner's action mailed August 7, 2006, having a shortened statutory period for response set to expire September 7, 2006 as follows:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Applicant elects to prosecute Invention I, Claims 1-20, 24-36 and 38 drawn to a detection device, classified in class 422, subclass 86. This election is made without traverse.

REMARKS

If an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (813) 925-8505 is requested.

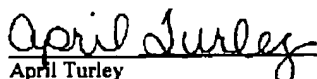
Very respectfully,  
SMITH & HOPENBy: Thomas E. Toner  
Reg. No. 57,422  
180 Pine Avenue North  
Oldsmar, FL 34677  
(813) 925-8505  
Attorneys for Applicant

Dated: August 29, 2006

CERTIFICATE OF FACSIMILE TRANSMISSION  
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Response to Election/Restriction Requirement is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 1743, Attn: Brian J. Sines, (571) 273-8300 on August 29, 2006.

Dated: August 29, 2006

  
April Turley